

ESEA Flexibility

**Review of NCLB Waivers Process and Outline of Proposed Next Steps
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No Child Left Behind (2001)

- **Modification to the Elementary and Secondary Education Act (ESEA), passed in 2001**
- **Many components; some key provisions include:**
 - States must develop and adopt standards in core content areas
 - Required annual assessments in reading and math; once per grade level in science and social studies; assessments must meet peer review standards
 - Schools must meet “adequate yearly progress” or face sanctions; all schools required to have 100% of students proficient by 2014
 - Provide a system of supports to districts and schools when targets are not met

ESEA Flexibility

- The federal ESEA law has not been reauthorized.
- Schools/districts were approaching the requirement of 100% proficiency
- USED offered flexibility from key provisions of NCLB (known as “ESEA Flexibility”); to obtain this flexibility, must commit to other areas of work around the three principles
- This process began in 2011, with the first notification of approved ESEA Flexibility applications in 2012.

ESEA Principles

- Principle 1: College-and-Career Ready Standards and Assessments
 - Required to adopt *college-and-career ready standards* (not necessarily the Common Core)
 - Required to have new assessments to measure those standards by the 2014-2015 (could join consortium OR develop your own assessments)
- Principle 2: Differentiated System of Accountability and Supports
 - Priority, Focus and Reward Schools
 - Scorecard (to measure proficiency targets)
 - Statewide system of supports
- Principle 3: Teacher and Administrator Evaluations
 - All teachers and administrators evaluated
 - Growth data from the state assessment must be included where those data are available
 - The SEA must have the ability to take enforcement action if it determines that districts are not implementing evaluations that meet the criteria of ESEA Flex

Michigan and ESEA Flexibility

- MDE (in coordination with stakeholders—including representatives from the field, from education organizations, and from advocacy groups) began the process of developing the original waiver application in the fall of 2011
 - Convened initial large stakeholder meeting to outline the three principles of the waiver and to solicit opinions on approaches
 - Iterative process between MDE and stakeholders; multiple large stakeholder meetings, small work groups
 - Final submission: February 2012. Iterative process with USED to get to approval by July 2012.

Flexibility Timeline

- Started in summer 2012 with accountability designations; drove the 2012-2013 school year programming (Year 1 of two year Flex waiver).
 - Did one final year of AYP in summer 2012; named Priority, Focus and Reward Schools
 - Negotiated amendment #1 during SY 2012-2013 → Focus School changes (metric change and set aside change)
- Summer 2013: Began Scorecards; continued Priority, Focus and Reward and applied Focus school changes to Summer 2013 designations. (Year 2 of two year Flex waiver – SY 2013-2014)
- This summer:
 - Will finish Year 2 of two year waiver; will run Scorecards and Priority/Focus/Reward

Extension Versus Renewal

- For the 2014-2015 school year, USED offered an “extension” of the original two year waivers.
 - Needed to respond to issues raised in the monitoring reports from Years 1 and 2
 - Last week: announced that extensions would be judged solely on Principles 1 (standards and assessment) and 2 (accountability and supports) if states had the authority to implement Principle 3 in it’s entirety but wanted to make substantive changes through negotiations with USED.
- At the end of 2014-2015, we anticipate that USED will require full RENEWAL of waiver package

Extension Status

- MDE submitted a request for an extension in April.
- This request:
 - Addressed findings from monitoring report, including how we would ensure implementation of college and career ready standards
 - Provided two small amendments that would modify 2014 accountability designations and 2014-2015 programming
 - Did NOT make substantial revisions or modifications to the overall system; reserving those for the renewal process

What is our current system under ESEA Flexibility?

- Principle 1: Standards and assessments
 - Michigan has career and college ready standards; no issue with waiver currently.
 - Will Michigan have appropriate assessments?
 - Keep in mind: Under NO CHILD LEFT BEHIND, states are required to administer high-quality assessments *yearly*. This is outside of the ESEA Flexibility system.
 - If Michigan does not give an approved assessment in any school year, we violate ESEA itself—it becomes no longer simply a waiver issue.
- Principle 2: Accountability and Supports
 - Michigan has an appropriate system of accountability and supports; no waiver implications at this time.
- Principle 3: Educator Evaluations
 - The SEA needs clear authority to ensure that educator evaluations happen statewide according to the principles of ESEA Flexibility in order to have our extension processed on principles 1 and 2 and allow us to negotiate timelines and other issues with USED around principle 3.

